

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ARTHUR JAMES GRIFFIN JR., )                                   8:13CV88

)

Plaintiff, )

)

v. )

)

**MEMORANDUM  
AND ORDER**

TODD SCHMADERER, Omaha )

Police Chief, MIKE MYERS, )

Director, and DOUGLAS COUNTY )

DEPARTMENT CORRECTIONS, )

)

Defendants. )

This matter is before the court on its own motion. On March 15, 2013, the plaintiff, Arthur James Griffin Jr. (“Griffin”), filed his Complaint in this matter along with a Motion for Leave to Proceed in Forma Pauperis (“IFP”). (Filing Nos. [1](#) and [2](#).) On April 17, 2013, I granted Griffin’s IFP motion and assessed an initial partial filing fee pursuant to [28 U.S.C. § 1915\(b\)\(1\)](#). (Filing No. [18](#).) In doing so, I warned Griffin that his case would be subject to dismissal if he failed to pay the initial partial filing fee by May 16, 2013. ([\*Id.\*](#))

The May 16, 2013, deadline has passed and Griffin has not paid the initial partial filing fee in this matter. (*See* Docket Sheet.) Therefore, Griffin’s case is dismissed for failing to comply with the court’s orders. *See* [Fed. R. Civ. Pro. 41\(b\)](#); *see also* [Conley v. Holden, No. 03-3908, 2004 WL 2202452, at \\*1](#) (8th Cir. Sept. 21, 2004) (affirming district court’s dismissal of inmate’s case for failing to pay the assessed initial partial filing fee).

IT IS THEREFORE ORDERED that:

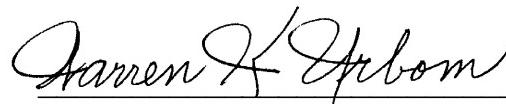
1. Griffin's Complaint (filing no. 1) is dismissed without prejudice because he failed to comply with this court's orders.

2. All pending motions are denied.

3. A separate judgment will be entered in accordance with this Memorandum and Order.

Dated May 28, 2013.

BY THE COURT



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Warren K. Urbom  
United States Senior District Judge

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